G. R. S. IX-5]

Previous references.

1894-5

~~191~~ .

(Courts)

File No. 52-1894

Serial Nos. 1-18

Later references.

~~Gls~~ 268-18(1-5)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-18

Majr **Part B for** April 1896

SUBJECT.

Trial of Sreenivasaraghavachar.
M Kalappa Pothdar

W D 88—GPB—50,000—24-7-16

Condemned

Contd 5-2-94

Memorandum

Whereas Jorhat Siemens Ropeworks Ltd absconded in April last & has since declared bankrupt & Government was entitled to Secure Standing Workmen's Compensation in the Sum of Rs 7000/- & under apprehension to escape from this liability & to get the Secured under his clutches the Whereas Jorhat forged 3 bonds & his aggregate Value of Rs 27000/- purporting to have been executed in

/

his own family the
Sowers. The Sowers heard
of this and were making
inquiries regarding it
when he was enveigled
to a spot on the ground
to be dug and murdered
Early on the morning of the 18th
of April last. Suspicion
fell on the Jordans who
at once absconded from
the Province

The documents
now disposed to the
Existence of this debt
above mentioned. There
is also other Evidence
which can also be shown
that at the instance

of the Jordan 3 Slaves
persons were purchased
by his said Plaintiff
in the Name of the
deceased. Plaintiff
states that he sent
the three Slaves in question
at the request of the
Jordans who signed
deceased Signature unto
these documents, the
aforesaid Interpreting
the Jordans Words
Sree Rengachar, Wagen
Sale of 3 Slaves

The Said Plaintiff
and his Counsel desire
to the production of these
documents for Registration
by the Jordans &

to their return Ohio
after registration
The attesting
witnesses are now
awaiting trial before the
Court of Sessions to which
they were committed on
the addition to the
~~testimony~~ evidence against
~~furtherance of said~~
~~Indictment whose name~~
~~is hereto sought the effect~~
detailed above items
~~the~~ against the Indictment
~~the first~~ first, he had a
strong suspicion to commit
the ~~Forgeries~~ Forgeries & that he
has for some months
past been in hiding
& conducting himself
in a disguised Colored

+ he does not have a
sufficient to bond such
a large Sum as $7,000
No. 6, that

Lt. Clifford Constantine

Evidence

It is upon the
direct and circumstantial
evidence this forthcoming
that the amt of
London Stevens Rupee
Claim is applied for.

C. Stevens
Sub. Insp.

26-10-95

Memo

On the morning of the 18th of April 1895, one Hundi Krishnamachar a sowcar of Kursipur was murdered, while on his way with a companion from Sosalé to U.K. Halgere.

Intimation of the occurrence having reached the local Police, the Amildar and Inspector proceeded to the scene which was a mile and a half beyond Sosalé and found the body of Hundi Krishnamachar lying on the side of the road with severe marks of violence on neck, head &c.

A post-mortem examination of the body was performed on the spot by the Hospital Assistant

of S. Murugesu, who was of opinion that death was due to the injuries in= =flicted, which injuries were caused by a sharp cutting instrument being used.

In the investigation that followed, it was as= =certained from Nara= =simha Varadachar who had accompanied the deceased on the morning in question, that the deceased and he had left Sowcar for M.K. Kalgere early that morning to receive payment of a large sum of money which was due to the latter by the M.K. Kalgere Jodidar on account of jewels pur= =chased from the former; that after going a short distance they were pelted

with stones by 4 men who
were following them from
Sosalé; that the deceased
was struck on the chest &
other parts of his body by
the stones, while he was
struck on the mouth,
cheek and legs; that the
deceased on receiving the
blow on his chest fell to
the ground when he was
set upon by the 4 men
one of whom cut him
twice on the neck with a
chopper he had in his hand,
that on the deceased falling
down after receiving the
blow from the stone, he
(witness) ran off a little
distance and saw what
transpired; that one of
the murderers on seeing
him looking on, ran towards
him and that there upon
he ran off to Sosalé; —

That

that he identified two
of the murderers to be
Kargo and Chick-Ringa
the former a cart driver &
the latter a ryot of the
Mukkalgere Jodidar. —
Kargo and Chick Ringa
being arrested the former
when questioned stated
that he, Chick Ringa,
Cheluva, Vatchua &
another murdered the
deceased Hundi Krishna=
=machar at the instiga=
=tion of the Mukkalgere Jodida.
On Cheluva & Vatchua
being arrested, the former
made a clear breast of
the whole affair and
his confessional state=
=ment was recorded
by the Sub Division
Magistrate French Rocks.
In this statement, ——
Cheluva

Chelluva admitted that he
and the others above named
had at the instigation of
the Uk-Kalgere Jodidar murdered
Arundy Krishnamachar; that
they tried to effect their pur-
-pose two nights previous-
-ly at T. Narsipur itself,
but were baulked as Arundy
Krishnamachar was in the
company of three or four
others; that on the 17th April
they lay in wait on the out-
skirts of Sosalé to which
place Krishnamacharry
had gone, that early in the
morning, they followed the
deceased whom they saw
leaving Sosalé for Uk-Kalgere
that on reaching Siddenahundy
they threw Stones at them &
that on the deceased falling
to the ground they rushed
on him & that Kalchelluva who
was armed with a chopper

killed him by cutting
him on the side of the
neck that after the murder,
he and Kattelua went to
H.C. Galgere the Jodidar,
who no they found in his
cocoanut garden & informed
him that the deed had
been perpetrated.

His prisoner pointed
out to the Police the spot
where the knife had
been buried after the
commission of the murder.
The knife was accordingly
recovered. The fact of the
Jodidar and prisoners
Chelua and Kattelua
being together within an
hour or so after the murder.
and conversing in the
cocoanut garden of the
first named is testified
to by a witness.

Katchuva and Chelluva reside in Bannur and are ryots of one Chamagowda who is a very intimate friend of the Ulkalgere Jodidar. Evidence is forth=coming to shew that the Ulkalgere Jodidar was seen at night under very sus=picious circumstances at the Bannur Travellers Bungalow a couple of days before the murder.

It has been ascertained in the course of the enquiry that the Ulkalgere Jodidar had forged three bonds for Rs 9000 each in his favour and purporting to have been executed by the deceased Hindi Krishnamachar. — Rumours of these and other forgeries began to be whis=pered about and Hindi Krishnamachar started

to, ma[illegible] private enquiries
and also reported the matter
to the Registrar General
and was about to institute
criminal proceedings against the Jotedars.
this and the consequent case
= pro[illegible] as the said [illegible]
[illegible] is a wealthy and respect-
= able man the [illegible]
Ukkalgere Jotedar) determ-
= ined to put the deceased
out of the way. To facilitate this
a[illegible] the hands of his hired
assassins, he induced
the deceased K. Krishnama
= char to come to Ukkalgere
before 6 o'clock in the morning
of the 18th April on the
pretext of paying him
the balance of the purchase
money due on account
of Jewels sold to him
by the deceased. The object
of the accused Jotedar
in sending word to the

deceased that he should ~
reach Akkalgere at 6 a.m
as after that hour he (the
accused) would not be
at home was undoubtedly
to get the deceased to start
at an early hour, so that
there may be no travellers
or passers by to frustrate
the accomplishment of the
murder ——

It must be mentioned
here that the injuries sus=
=tained by Narasimha=
Vardachar who accompanied
the deceased, were of a ~
severe character & prevented
his speaking and it was
not till three days after=
=wards that he sufficient=
=ly recovered to state ~
what had transpired.
When it was clearly esta=
=blished that the Dodder

had perpetrated the forgries
referred to above and
that he had investigated
the commission of the murder,
the Police proceeded to
Akkalgere to effect his
arrest. It was discovered
that he had absconded
a couple of days previous=
=ly and has been at large
ever since.

S. I. Police

Mysore
31-10-95

Received this
Special Messenger
at 7 P.M.
forwarded to
the Revenue Secretary
as per his requisition
H Madhavarao
Dy. Superintendent of Police
18 Nov 95
Bangalore

Memorandum.

Ukligere Jodidar Sri-
a Subject of the Mysm State
nivas Raghavachar, who ab-
sconded in April last and
who is now believed to be ab
Trevandrum was indebted to
Sowcar Mundi Krishnamachar
also a Mysm Subject
in the sum of Rs. 7,000/-. In
order apparently to escape from
this liability and to get up
the
Sowcar, ~~under his clutches~~,
Said
the Ukligere Jodidar forged 3
bonds to the aggregate Value
of Rs. 27,000/ purporting to have
been executed in his own

favor by the Sowcar. The Sowcar heard of this and was making enquiries regarding it when he was inveigled to a spot on the road to Ukli-gere and murdered early on the morning of the 18th of April last. (Suspecion fell on the Jodidar who at once absconded from the Province) A warrant for the arrest of the said Ukkiligere Jodidar for abetment of murder has been issued by the Magr. He is evading the execution of this warrant and is now a proclaimed offender as per proclamation Copy of which is here unto attached.

(The deceased's son deposes to the existence of the debt above mentioned. There is also other evidence on this point as also to shew that at the instance of the

(Enter him as a witness for the Crown & ask if the accused is present in Court & if so ask him to identify him. Then ask him if he knows the accused & if so how long & when the last time he saw him)

(See Witness Notes)

2. Another accusation of the Said

in the forgery of Valuable Securities for Rs27 000 above referred

Jodidar 3 stamp papers
were purchased by his friend
Thimappa in the name of
the deceased. Thimappa
states that he wrote the 3
bonds in question at the re-
quest of the Jodidar who
forged deceased signature
under those documents, the
attesting witnesses being the
Jodidar's friends Sri Rangacha
Wagur Sab and 3 others.

The Sub Registrar
and his gumasta depose to
the presentation of these do-
cuments for registration by
the Jodidar and to their return
to him after registration.

20

3 - The attesting witnesses are now awaiting their trial before the Court of Sessions to which they were committed. In addition to the evidence detailed above there is against the Jodidar the fact that he was not in a position to lend such a large sum as Rs. 27,000/-, that he had a strong motive to commit the forgeries, and that he has for some months past been in hiding and conducting himself in a manner calculated to afford strong presumptive evidence - He is also a proclaimed offender in respect of the offence of Forgery (vide proclamation attached) D.

~~It is~~ Upon the direct and circumstantial evidence thus forthcoming ~~that~~ & Surrender the arrest of Jodidar Srinivas Raghavachar is ~~applied for~~.

abetting the murder of Hundi this

There is also ~~an accusation~~ pending a ~~charge sheet~~ ~~against~~ ~~the~~ ~~Jodidar~~ ~~Gopal Gowda~~ ~~&~~ ~~others~~ against the said Jodidar Srinivasa Raghavachar in the Mysore Courts on charges of abetting the murder of Hundi Krishnamachar. (under Ss. 1/ & 302

4 A reward of Rs 300/- has been ~~declared for the~~ offered by the Govt. for the arrest of the accused and the Son of the murdered man has offered ~~and~~ an additional reward of Rs 500/- for the same purpose. The Police have published the accompanying letter ~~regarding~~ of "Wanted" by the Mysore Police

Suspicion fell on
the prisoners at the
election of the murderer
for five other reasons
as the perpetrators
of it. The former
absconded while
the latter were arrested
and placed on their
trial. Two of these
confessed their guilt.
An eye witness deposed
to the committing of
the murder by these
five persons. There
was also some circum-
stantial evidence.
The Sessions Judge
accordingly convicted
those five persons
of the offence with
which they stood
charged. On appeal
however the Chief
Court set aside
the conviction on
the ground that
the confessional
statements should
not have been taken
while the others were
absent from the court
room and not sufficient

Rec'd 30.4.95 Bangalore 30/4/95

9 a.m.

To: The 1st Court.

Sir

My dear Sir

30/4

With reference to your enquiry

652-94-1

by regarding the murder of Hanur Krishnamachar of T. Narsipur, I am directed to submit for the information

of the Secrn Commissn
the enclosed D.O report
from the Depty Commr
Mysore

Mr Madhava Rao had
wired the Depty Commr
from Bowringpet asking
him to report progress
and enquiring whether
he would wish me to
be sent up to help him

investigation
The report now received
is in reply to this
telegram

I remain

Yours sincerely

V. N. Narasimhaiya Esqre
General Secretary to the
Govt of Mysore

Office
30/4/95

Mysore
28th April '95

My dear Madhava Rao

Hundi Krishnamalha had his permanent residence in T. Narsipur. But he often used to stop in the Jodidhars Agrahar in Sosle, where his ~~m~~ widowed mother in-law lives. On the 16th & 17th inst. he was there as he wanted to go to Likkilikkarai near Somnathpur, where the Likkilikkarai Jodidhar lives. The latter owed him about Rs 7,000 and odd on a pro. note, and had delayed to settle it. Hundi Krishnamalhar had also heard a rumour that the Likkilikkarai man had attempted to register a false document in the Sub-Registry office, Mysore

It was for this reason that Hundi
ishnamachar was anxious to see him
o settle matters. He left Sosle at 4 A.M.
the 18th accompanied by one Narasim
hachar, ~~Four~~ Sudras who slept in the same
rahar followed him and at the dis-
nce of about a mile and a half, pelted
nes at him and then cut his neck.
e companion also received injuries
m the stones thrown at him, and ~~was~~
~~stood~~ saw the deceased murdered, but
n away when one of the murderers went
ards him. I got information of the murder
10 A.M. on the 19th and reached Narsipur
same Evening. Narsimhachari was
t for the very next thing next morning. He
ill and looked quite scared, and could
rcely articulate properly on account
injuries on his face. After a great deal
kursuasion, he took heart and states
t he recognized two of the assassins
being the Cartman of the ~~Kilikkarai~~
idhar and the other a Gowda in his

Sarvamangam village. I at once gave orders to secure these men. I got also other information to show that the bandy-man had been seen lurking about Sole the two previous days. In the evening of the 20th I saw the scene of murder and then proceeded to Besthekâri near Sole, where the bandyman have been reported to have put up. I got important information that he and four others had cooked their meals in a woman's house on the evening of the 17th Wednesday, and that besides the bandyman and the Gowda, there was one Besther named Madhiga, a notorious character of Bannur, ~~was also one of them~~. The former two have been arrested, and strong endeavours are being made for the arrest of the other.

25/C

As far as I know, they have not succeeded in getting any other Evidence. As the case now stands, there is an Eyewitness to speak to two of the assassins having participated in the murder. He may perhaps be able to identify the third. This man and four or five others will prove the bandyman having lurked about the village the two previous days and he and the others having secretly cooked their meals on Wednesday evening without a reasonable Excuse for it. I think this itself is sufficient to bring home the offence to some of the accused. There is very strong reason to suspect that Ukkilitharai Vadivhar is the instigator of this foul murder. And the accused may perhaps implicate him. 'ill then I am unable to take any action against him. I left T. Vardipur on Tuesday morning after asking Mr. Wetheral to write to you. I suppose he has not written to you or you would not have wired. Mr. Puttanna Chetti cannot render us much help. And it is unnecessary to trouble him.

Yours truly

Assistant

Bangalore

26 Oct 1895

Gb 52-11 R2

My dear Sir

Your confidential D.O of the date has just been received & I have sent an order to the Amildar of Bangalore to open the Calicut Dry Farm & advance it to the City Inspector

Yours sincerely
Krishna Rao

the sum of four hundred
Rs – two hundred
is the reward offered
by Govt – and two
hundred more is
applied for by the
City Inspector for expenses
to be accounted for
by him –

Yours truly
R Duncan

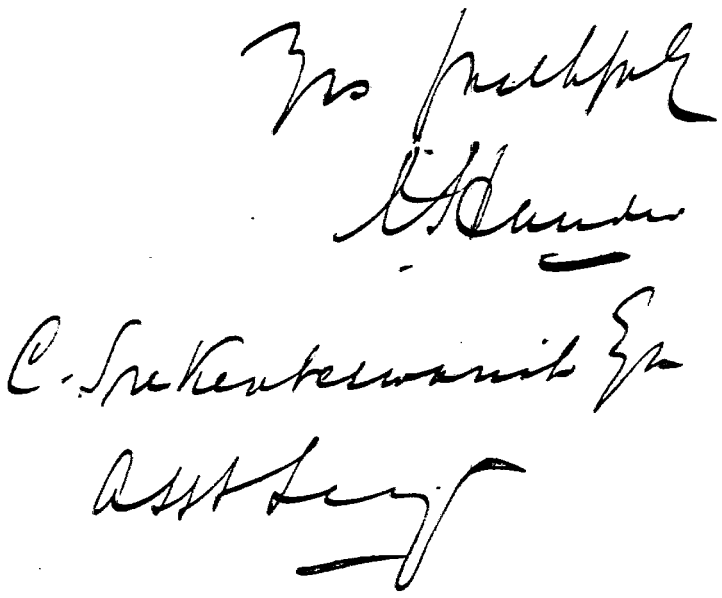
Gb 52-94-3

Impore

27. 10. 95

Dear Sir

With reference to my telegram of this days date, to the address of this Office, I beg to enclose copies of Proclamations against the Witchyan Jagheidars in the Com of Jamdun as also to the Inspector



Code Class. XP

INDIAN TELEGRAPHS.

Monthly Number.

To (Office) Bangalore Fort From (Office) Mysore. 189[illegible]

Words.	Day.	Hour.	Minute.	Official Instructions.
0	29	14	35	Elect. to 5th 824

To (Person) Sir K Seshadr
Iyer Dewan
of Mysore.

From (Person) Hamden

Proclamations issued
in both cases Copies
by Messenger. —

BANGALORE 27-10-95

Sent to LN.

Hrs. Mts. by ... At Hrs. Mts. by ...

Thos. Wilson
Telegraph Master.

C. G. P.—No. 459 T.—25-3-95—24,00,000.

5

28

Ft. 52-1894

Office of the Dewan of Mysore,
Dated Bangalore 27th October
1895.

The bearer Mr. L. Krishna Rao, Bangalore City Police Inspector, has been deputed by the Mysore Darbar to proceed to Travancore to obtain the arrest and surrender of Akkaligere Joodar Srinivasa Raghavachar, a subject of the Mysore State, who, as per appended proclamation, is a proclaimed Offender and who has absconded from the Mysore State and is reported to have taken temporary refuge in Travancore.

By order

C.

Secretary to the
Government of Mysore

31-10-95

My dear Nanjappa.

Herewith I send the Manuscript
copies of Proclamations
duly certified by the Manager
of the Govt Office - two printed
Proclamations received from
them are also sent.

There was no observance
in the case.

No materials for the
preparation of a Memo are
forthcoming in the Office of
the Govt - Secretariat
Last evening for Muthaudin
Memo - I distinctly remember
the facts as detailed in
that Memo - From memory,
I have written out a few
lines which may go into our
present Memo.

Yours sincerely
A Krishnaswami

Confd

Swami

Govt

1952-94

My dear Sir

Please see the enclosed Govt.
& Residency & Police
Memos as asked by him.
Mr Hamlin has left Govt.
his Office Memos with me.
Please take & give
him abstract of the
charge & Memos entered in the
Memos & desire to
do it if you
sufficient information or

30

Office of the Dewan of Mysore
Dated Bangalore, 30th Oct 1895.
Despd 31st

No. 35
D

To

The Resident in Mysore

Sir,

I have the honor to forward herewith a Memo. relating to a Subject of the Mysore State, who is accused of offences of abetment of murder & forgery (punishable under Ss. 109 & 302 and under S. of the Indian Penal Code) Committed within the Mysore State, who is a proclaimed offender & who is reported to have taken temporary ~~refuge~~ refuge within the Native State of Travancore.

The Durbar will be greatly obliged if you will kindly move the Resident in Travancore to request that State to arrest the said ... & deliver him to the Mysore Police officer (Inspector Christian Rao) ~~who~~ ~~[redacted]~~ for the purpose of his being brought into Mysore & tried before the Mysore Courts.

The Inspector has always proceeded to Travancore for the purpose of his arrest, & has been instructed to appear before the Travancore Resident.

3 The accused has been found to

on
obtaining
Jurisdiction
& necessary
Requisition

31

arrest for many months and the
Bombay Police have been in pursuit
of him in Bombay, the N. W. Provinces
Hyderabad, Tanjore & Elsewhere.
and ~~acted~~ as urgent action
is necessary so that he may
be arrested before he moves
to some other place I beg
to suggest that the Resident
in Travancore may be ~~requested~~
Communicated with by a Telegram.
The Case is not one to which
the Extradition Act as in force
in British India is applicable
but ~~in the~~ the arrest & surrender
of the accused under the circs
described in the Enclosed Memo
would be in accordance with ~~the~~
~~[redacted]~~ Custom ~~governing~~
~~the~~

Mr
R.S.
30/6/25

P.S.

Since writing the above a telegram has been received from ~~Trivandrum~~ the Nagercoil Police Constables who had proceeded to Trivandrum in pursuit of the accused & the effect that they succeeded in arresting him yesterday and handed him over to the Travancore Police - under such circumstances a telegram I requested that the Resident in Travancore may be asked by telegram to secure for this Durbar the due surrender of the accused.

31-10-95

Sc. 8 33

No. 36 of 1st November 1895

From

The Resident in Mysore.

To,

In continuation of my letter No. 35 dated the 30th ultimo, I have the honour to forward herewith copy of a telegram from the Superintendent of Police, Trivandrum to the Inspr. Genl. of Police, Mysore, dated 31st idem. - - - -

I have the honour to be the accused has been remanded by the Travancore Magr. I beg that his attendance may kindly be effected before the term of 15 days for which the remand has been obtained.

Sir,

Your most obedient servant,

Dewan.

34

Telegram from The Supdt. of Police, Trivandrum, to The Supdt. Govt. of Police, Mysore dated 31st Oct-95-

Srinivasa Raghavachar wanted by the Mysore Police has been arrested. Fifteen days remand obtained. Take early steps for extradition

Supdt.

Sl. 9

36

Class. D.P. INDIAN TELEGRAPH.

Station Bangalore Cantonment From Nandidrug Monthly Serial No. 6

Words.	Day.	Hour.	Minute.	Office Instructions.
58/3	4	13	25	wgt four addrs

To (Person) The Private Secretary to the Dewan of Mysore

From (Person) L. Srinivasa Rao

1 2 3 Arrived yesterday Jodidar arrested and detained Travancore resident wants Mysore Resident to wire requisition for surrender. Submit this to Dewan wire reply please

11 12 13 14

BANGALORE CANTT. 4 SEP 95

Recd. from L.N. At Hrs. Mts. By

Sent to L.N. At Hrs. Mts. By

Date

Postmaster.

P 606

38

Gen. 30.]

189

OFFICE OF THE
4396
20. NOV 1895
Pol. 606
DEWAN OF MYSORE

Pb 82-94-10

From The First Assistant to the 660
Resident in Mysore

To

The ~~Chief Secretary to the~~
Dewan ~~Govt.~~ of Mysore.

Dated Camp Kankanhalli
25 November 1895

Despatched

Received 26th Nov. 95
29/11/95

Enclosure No.

General No. Camp No. 2.
No.

Intimating that a warrant has been issued to the District Magistrate of Tinnevelly for the surrender of Vakkigeré Vadiar Srinivasa Raghavachar who is accused of forgery in the Mysore Territory.

References to be marked.

29/11

M.G.C.P.B.—4-12-95—3000

Camp No: 2

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

THE DEWAN OF MYSORE.

Camp Kakankote
Dated ~~Bangalore~~, 25th November 1895.

SIR,

I am directed to acknowledge the receipt of your Office ~~Secretary's~~ letter No. 35436/D, dated the 30th Octr: & 1st Novr: 1895, asking for the issue of an extradition warrant for the surrender of Ekkligere Jodidar Srinivasa Ragavacha who is accused of having committed the offence of forgery in Mysore territory.

2. In reply, I am to inform you that a warrant has this day been issued to the District Magistrate of Tinnevelly for the surrender of the accused person to the Police Inspector of the Bangalore city at Bangalore city

~~3. The original enclosures to your letter under acknowledgment are herewith returned.~~

I have the honour to be,
Sir,
Your most obedient servant,

K. D. Erskine Captain
First Assistant to the Resident.

Lts 52-94 HP 40

Camp: Kakankoté,

No 189 of 26-11-95

1) Issue
2) Send to H.Q. Office
26/11

To,

The Inspector General
of Police in Mysore.

Sir,

I am directed to inform you that an extradition Warrant has been issued by the Resident in Mysore on the 25th instant to the District Magistrate of Tinnevelly for the Surrender of Ukkigere Jodidar Srinivasa Raghavachar, who is accused of having committed the

offence of forgery in Mysore Territory, to the Police Inspector of Bangalore city at Bangalore city.

I have &c.

Asst Secy to Govt.

Gen. 30.]

OFFICE OF THE
4557.
6 - DEC. 1895
Pol. 626
DEWAN OF MYSORE.

1895 685

From The First Assistant to the Resident.

To

Dewan
The ~~Chief Secretary to the~~
~~Govt.~~ of Mysore.

Dated 5-12-95

Despatched

Received

Enclosure No.

General No. 4823.
No.

Stating that intimation has been received from the Dt Majstte of Tinnevelly that the accd Akilgore Joosdar Srinivasa Raghavachar was sent under Police custody together with his articles to be delivered to the Police Insp^r of the Bangalore City -

References to be marked.

File
6/12/95

Jud

M.G.C.P.B.—4-12-95—3000

Rec'd 5/12/95

No. 4823

Ans 5-2-94-12

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 5th December 1895.

SIR,

In continuation of my letter Camp No. 2 dated the 25th ultimo, I am directed to state that intimation has been received from the District Magistrate of Tinnevelly that the accused Ukilgu Jodidar Srinivasa Raghavachar was sent on the 30th idem in charge of the marginally noted Constables to be delivered to the Police Inspector of the Bangalore city.

Constable No. 812 Alinga Tenam
2nd Class Constable No. 845 Narasingupermal Naidu

2. The three constables of the Bangalore City Police that were waiting at Tinnevelly are stated to have accompanied the party and the articles that were in the possession of the accused person are stated to have been sent in charge of

the Constables.

I have the honor to be

Sir,

your most Obedient Servant

K.D. Lewis Captain,

First Assistant Resident.

Md Br.

6/12.

is advisable to prefer an appeal against the acquittal. A copy of the Sessions Judge's judgment is also enclosed.- Permission, under Section 417 of the Criminal Pro: Code, is solicited to prefer the appeal.- The record of the case has not been sent, because it is in the Chief Court in connection with the appeal of the 2d. accused that was convicted. The Assistant Government Advocate will appear to support the conviction and the Public Prosecutor has been requested to give him needful instructions. It will be convenient to prosecute the appeal against the acquittal at the same time, if permission to do so is given soon.-

I have the honor to be,
Sir,
Your most obedt. servant,
W. C. Wilkinson Kotwaraya
District Magistrate
of Mysore.

Compd.

No. 859
En. 3.

Office of the District Magistrate
of Mysore

Dated Mysore 25th January 1896.

To,

The General Secretary to the
Government of Mysore

Sir,

Tirumalé Sreenevasa Raghavachar,
Vira Raghavachar and Narasimmachar
were committed from this District for
trial on charges of forgery &c. The Sessions
Judge of the Nandidrug Division to whom
the case was transferred by the Chief
Court on the application of the accused
convicted the 2d of them and acquitted the
1st and the 3d.— The memo: of appeal against
the acquittal got drawn up by the Superin-
-tendent of Police that investigated the
case and the Public Prosecutor that
conducted the prosecution is herewith
submitted, as also copy of letter No 96 of
the 22d January 1896 from the Assistant
Government Advocate stating that it

is

44

OFFICE OF THE DEWAN OF MYSORE
226
20 JAN 1896
1947

n. 31]

1896

From The District Magistrate of Mysore

To The Genl. Secry to the Govt of Mysore

Dated 25th January 1896.

Despatched

Received 29/—

General No.

No. 859

Enclosure No. 3.

Requests permission to prefer an appeal against the acquittal of the accused by the Sessions Judge of the Nandidrug Division.

J 29-1-96

To Mr 1st Comr

29/1 Dewan

Is the Dy Asst Comr & Asst Sub Asst Comr all of opinion that this is a fit case where an appeal

J 52-94-95

appeal agt the bus acquittal the nuzzy sanction may be accorded and the Asst Sub Asst instructed to prefer the appeal without delay

29/1/96

Dewan

I agree by

31.1.96

Draft Telr

JWP

31/

No. 96.

Asst. Government Advocate's Office

22nd January 1896.

From,

The Assistant Government Advocate

in Mysore

To,

The District Magistrate

Mysore

Sir,

With reference to your letter No 1173 dated 11th instant, I have the honor to state that if the Sessions Judge had summoned and examined Kaligere Jodidar and the late Sub Registrar Chimatambi Mudaliar the case against the 1st accused could have been made stronger. His having failed to do so is in itself a good ground for appeal.-

The fact that the 1st accused having spoken to the identification of the executant before the Sub Registrar could have been proved if the Sub

W

Registrar had been examined. It is not probable to suppose that any body than that accused could have been made to appear before the Sub Registrar as the 1st accused to identify the executant. The 1st accused's name appearing on the endorsement is sufficient to corroborate the evidence of the approver.—

The Sessions Judge having believed the evidence of the approver as to his statement affecting the 2? accused erred in discrediting his statement as against the 1st and 3? accused.—

On these grounds and on the grounds mentioned in the memo: I think there is a prima facie case made out against the 1st and 3? accused, and if the additional evidence is ordered to be taken the case will be strong as against the 1st accused though I think the additional evidence may not make the case strong as against the 3? accused.—

Though in my opinion the case as against the 3d. is so strong as against the 1st yet in the case against both depends chiefly upon the evidence of the approver whose evidence the Sessions Judge has partly accepted.—

I would suggest the advisability of preferring an appeal against both the accused.—

Thane &c.

Signed S. Ramaswamier

Asst. Government Advocate

"Copy"

District Magistrate

of Mysore.

Compd. WM

Ch 52-94-14 ✓ No. 8963-4 of 3-2 GD
9977

Read.

Letter No. 859 of 25th January 1896 from the District Magistrate of Mysore requesting permission to prefer an appeal against the order of acquittal passed on the 1st and 3rd accused by the Sessions Judge of the Mundi-drog Division in Bangalore Sessions Case No. 9 of 1895-96 and submitting copy of a letter from the Asst. Govt. Advocate in Mysore regarding the same.

Order thereon.

The Govt. are pleased to instruct the Asst. Govt. Advocate in Mysore to prefer an appeal against the acquittal of the 1st and

3rd

5

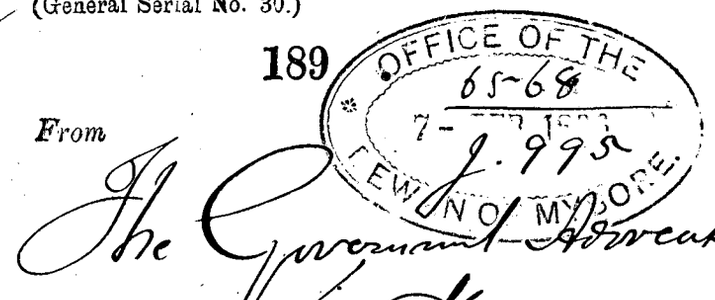
3r. accused in the
Bangalore Sessions Case
No. 9 of 1895-96 without
delay.

3/12/96 Sd
Govt. Secretary

2.
The District Magistrate
Mysore
The asst. Govt. Advocate
in Mysore. in
the terms of the go
of appeal & judgm
in the case. enclosing

(General Serial No. 30.)

189



From The Government Advocate in Mysore

To The ~~Chief~~ Secretary to the ~~Durbar~~ Government of Mysore.

Dated 7th February 1896.

Despatched

Received

Enclosures No.

General No.

No.

Reporting the filing of the appeal against the order of acquittal of the 1st & 3rd Accused in the Bangalore Sessions Case No 97 1895-96

8/2/96

Submitted with references.

AS. 8-2-96

File 29 4/96

8.15

Judicial Government Advocate's Office

7th February 1896.

No. 110

From

The Government Advocate

in Mysore.

To

The Secretary to the

Government of Mysore

Sir,

With reference to the Proceedings

of the Government No. 8963-4, dated

3977

3d Instant, I have the honor to state

that I have filed this day an appeal

against the order of acquittal

passed against the 1st & 3d Accused

in the Bangalore Sessions

Case

54

Case No 99. 1895-96.

I have the honour to be
Sir,
Your most obedient servant.

[illegible]

Government Advocate

No 3119

(General Serial No. 30.)

189

From The Government Secretariat in Mysore

To

The ~~Chief~~ Secretary to the ~~Dewan~~ Government of Mysore.

Dated 1st April 1896.

Despatched

Received

Enclosures No. 1

General No. 153
No.

Submitting a copy of the judgment passed by the Chief Court in Criminal Appeal No 132 of 1895-96

Government

T. Srinivasachar & another

Submitted with reference.
Asst 4-4-96

2-4-96

Sd/ S Secretary.

The Govt Advocate might supply a brief. GP 5/4/96

N 452-94-19

Sd/ Bar Councillor for Nundydroog

6/4/96

Record

8/4

Pass an order recording this G

8/4/96

Sl. 1b

Government Advocate's Office

GOVERNMENT OF MYSORE

1st April 1896.

No. 153

Encl: Not

From

The Government Advocate

in Mysore

To

The Secretary to the

Government of Mysore

Sir,

With reference to your Letter No. 6963-4, dated 3rd February 1896, J. 977

I have the honor to submit herewith a copy of the Judgment passed by the Chief Court in Criminal Appeal No. 132 of 1895-96 Government

v. I. Sreenivachar 2. Narsimhachar.

I have the honor to be

Sir,

Your most obedt servt.

Government Advocate

56

In the Chief Court of Mysore at Bangalore

Monday the 16th day of March 1896

Present

J. W. Best Esquire, Chief Judge

and

A. Ramachandra Iyer Esquire Judge

Criminal ap: No 132 of 95-96.

Government of Mysore — Appellant

1. By Mr. S. Ramasawmi Iyer Govt. advocate

1. T. Tirumga Char
2. Narasimha Char } Respondant (1st & 3rd accd)

Petition of Criminal appeal against the order of acquittal passed by the Sessions judge of Chandidrug in Bangalore sessions Case No 9 of 1895-1896.

This appeal coming on for hearing this day, the court delivered the following:-

Judgment

We agree with the judge and assessors in finding it not proved that

that 1st and 3rd accused had anything to do with the forged documents. The case rests entirely on the evidence of the approver who is uncorroborated and has himself made contradictory statements.

It is contended that the endorsement of the Sub-Registrar is prima facia evidence that 1st accused was the man who identified the executant. The Sub-Registrar has absconded and is one of those accused of the forgery. From his evidence of this gumastah Venkat Roa, 9th witness for prosecution, it would appear that the registration was effected secretly and none of the parties are witnesses were seen by the witness in the office. In these circumstances, the statement or endorsement made by the Sub-Registrar is entitled to no weight.

We dismiss this appeal.

/Signed/ J. W. Best
Chief judge.

/Signed/ C. Ramachandra Iyer
judge.

Copy

Received

Government Advocate

No: 11679 dt 15-4-96
J1295

Ex. 17

Cr 52-94-18

Read,

Letter No 153 dated 1st April 1896 from the Govt Advocate in Mysore submitting a copy of the judgment passed by the Chief Court in Criminal appeal No 132 of 1895-96, Govt vs H.S. Sreeranga Chare, (2) Narasimhachar

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Order thereon.

Recorded.

14/4/96

Secretary.

To,

The Govt Advocate in Mysore.